

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§ 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 L, Closed Area No. 26, Medomak River, Waldoboro and Friendship, promulgated on October 4, 2004 is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.06L, Closed Area No. 26, Medomak River, Waldoboro and Friendship.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Medomak River, Waldoboro, north of a line beginning at the east tip of Woltz Point; then running southeast to Hollis Point; then running northeast across the mouth of Sampson Cove to a red painted post located on the southern point of the unnamed brook on the eastern shore of Sampson Cove.
2. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Medomak River, Waldoboro and Friendship, inside of a line beginning at the southwest prominence of Boot Neck, Friendship and running northeast approximately 300 yards to the southeast point on the unnamed point of land in the town of Waldoboro.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE October 18, 2004

AGENCY CONTACT PERSON:

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Department of Marine Resources
194 McKown Point Road
W Boothbay Harbor, ME 04575

COURIER GAZETTE
October 21, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.06 L, Closed Area No. 26, Medomak River, Waldoboro and Friendship, promulgated on October 4, 2004 and replaces it with a new regulation. This new regulation closes two rainfall conditional areas due to ≥ 1 inch of rainfall in 24 hours.

Department personnel have determined that the closed areas are subject to intermittent microbiological pollution, which poses a threat to the public health.



HAROLD C. WINTERS

ADMINISTRATIVE OFFICER FOR GEORGE D. LAPOINTE,
COMMISSIONER AS AUTHORIZED BY 12 M.R.S.A. § 6023



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

C26 Medomak River

10/18/04



There may be other closures in this map area.

Waldoboro

Sprague
Brook

CLOSED

Woltz
Point

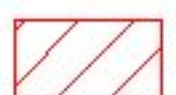
Hollis
Point

Sampson
Cove

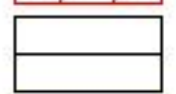
Goose
River

CLOSED

2004 Shellfish Classifications



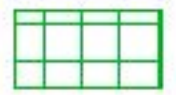
Prohibited



Restricted



Conditionally Approved



Conditionally Restricted

0.8 0 0.8 1.6 Miles

